

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TECHNOLOGY

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October 6, 2016
Start: 1:03 p.m.
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HELD AT: 250 Broadway - Committee Rm,
16th Fl.

B E F O R E:
JAMES VACCA
Chairperson

COUNCIL MEMBERS:
Annabel Palma
David G. Greenfield
Barry S. Grodenchik
Joseph C. Borelli

A P P E A R A N C E S (CONTINUED)

Ben Krakauer
Director of Watch Command
New York City Department of Emergency
Management

Don Sunderland
Deputy Commissioner for
Application Development
Department of Information Technology and
Telecommunications

1
2 [sound check]

3 [pause]

4 CHAIRPERSON VACCA: Good afternoon
5 everyone. Welcome. It is now 1:00 p.m. My name is
6 James Vacca and I'm chair of the Committee on
7 Technology and we're here today to discuss Int. 1240,
8 a bill sponsored by Council Member Daniel Dromm that
9 would enhance the language access of two types of
10 important digital notifications issued by New York
11 City.

12 This Committee has held previous hearings
13 focused on enhancing the access of City services and
14 communication for the various New Yorkers for who
15 English is not their first language. We are in one
16 of the most diverse cities in the country and it's
17 vital that everyone living in New York City has an
18 opportunity to access the many services and features
19 our local government provides.

20 One of these features is City-issued
21 electronic communications through wireless emergency
22 alerts (WEAs) and Notify NYC notifications. Just
23 recently, on Monday, September 19th we were able to
24 use this technology to great effect. That morning
25 the City issued a massive WEA that provided the name

1 of the Chelsea bombing suspect; this text-like
2 message was sent to every cell phone using a cell
3 phone tower in New York City. The suspect was in
4 police custody three hours later and Police
5 Commissioner James O'Neill described these types of
6 alert systems as the future. We agree. Messaging
7 services are not just useful for criminal threats;
8 WEAs and Notify NYC can inform our residents of life-
9 threatening weather events like tornadoes and
10 hurricanes, missing persons and other major
11 disruptions.

12
13 Because these messages can relay
14 information that requires immediate attention, it is
15 imperative that every resident of New York City have
16 the opportunity to access them. Presently, some
17 Notify NYC text messages provide limited language
18 translations, but this is not enough. We do feel
19 that these messages should have automatic translation
20 features to more effectively reach people with
21 limited English proficiency, and this bill would
22 provide that that be done and would allow for both an
23 English and Spanish translation of its alerts and
24 this bill would require that Notify NYC subscribers
25 have the option to receive all of their texts in one

1
2 of the City's most commonly spoken languages unless a
3 real translation of the general English notification
4 is unavailable.

5 We anticipate that this bill will move us
6 forward toward the goals expressed by the
7 Administration to make City services available to
8 all. The Committee looks forward to hearing
9 testimony from OEM and DoITT and we thank you for
10 your attendance; we thank everyone for being here
11 today.

12 I want to introduce the Committee members
13 that are here with me today. To my right, always, is
14 Councilman Joe Borelli and to his further right --
15 [interpose, background comment, laughter] who should
16 be sitting next to me more -- is Council Member Barry
17 Grodenchik. We thank them for joining us.

18 And I now wanna call upon our witnesses;
19 will you please stand and... Ben Krakauer, OEM and Dan...
20 Don... [background comment] Don Sunderland, Deputy
21 Commissioner for DoITT. I'd like you to swear --
22 would you please raise your right hand? Do you swear
23 or affirm to tell the truth, the whole truth and
24 nothing but the truth today?

25 [background comments]

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2 CHAIRPERSON VACCA: Okay, you may
3 proceed. Please sit down. Thank you.

4 BEN KRAKAUER: Good afternoon Chairperson
5 Vacca and members of the Technology Committee. I'm
6 Ben Krakauer, the Director of Watch Command for New
7 York City Emergency Management. I'm joined here
8 today by Don Sunderland, Deputy Commissioner for
9 Application Development at the Department of
10 Information Technology and Telecommunications.

11 It's a privilege to be here today to
12 discuss the Notify NYC program, its history,
13 procedures, and the steps that we have taken and
14 continue to take to ensure all New Yorkers have
15 access to official, near real-time information from
16 the City during an emergency.

17 As you know, the mission of New York City
18 Emergency Management is to plan and prepare for
19 emergencies, to educate the public about
20 preparedness, to coordinate the City's response and
21 recovery operations, and to collect and disseminate
22 critical information to key stakeholders and the
23 public during emergencies. During an emergency we
24 issue media releases, update social media, provide
25 information to 311, and send messaging to our

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2 partners through a variety of distribution networks,
3 including Corp Net, which goes to our private sector
4 partners, the Advanced Warning System, which goes to
5 our special needs partners, Citizen Corp, which goes
6 to our nonprofit partners, and all elected officials
7 and community boards through emails and conference
8 calls spearheaded by our Intergovernmental Affairs
9 Unit. Notify NYC is one of many tools and one of the
10 most effective methods that we use to provide
11 information to the public.

12 The program began as a pilot in 2007
13 following the tragic Deutsche Bank fire on Liberty
14 Street and is designed to provide city residents,
15 businesses and visitors with near real-time
16 information about emergency activity and possible
17 disruptions in their communities. The program went
18 citywide in 2009 and now has more than 440,000
19 subscribers. Registration is free and open to anyone
20 who self-registers using their landline telephones,
21 mobile phones, instant message or email address, and
22 is also available through social media via Twitter
23 and our RSS feed. Access to a computer is not
24 required as registration is also available by calling
25 311.

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2 All subscribers are automatically
3 enrolled in the Emergency Alert group -- messages
4 that direct them to take protective action, such as
5 evacuate an area for any reason. Outside of that,
6 subscribers can personalize their alerts by choosing
7 additional notification features targeted to their
8 area or areas of interest and tailored to the
9 category of message they wish to receive, such as
10 significant events like large fires, major mass
11 transit disruptions, major road closures, public
12 health notifications, Department of Education school
13 closure or delay advisories, and emergency
14 suspensions of Alternative Side Parking rules.

15 In 2014, the Notify NYC program began
16 incorporating American Sign Language videos with
17 audio and subtitles into many of our messages to
18 ensure the deaf and hard of hearing community were
19 able to receive emergency information. Today, 86 of
20 our most commonly issued messages can be issued in a
21 generalized form in the 13 most commonly spoken
22 languages in New York City in addition to American
23 Sign Language. The translated version of these
24 messages is available via hyperlink at the bottom of
25 the Notify NYC email. Additionally, we've worked

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2 closely with our colleagues at DoITT to make the
3 Notify NYC website and registration portal available
4 in multiple languages. We're in the final stages of
5 making 35 additional messages available in multiple
6 languages, bringing the total to 121.

7 Since the program's beginning in 2007,
8 the program has sent out more than 7,500 separate
9 messages.

10 The current setup is the extent to which
11 we're able to provide language access options without
12 additional personnel or financial resources.

13 We are currently working with DoITT's
14 insource team on the development of a Notify NYC
15 mobile application that will allow users to get
16 emergency information based on their present location
17 and not based on pre-selected addresses. The
18 development is ongoing and we hope to be able to
19 release the application to the public in 2017.

20 With regards to the legislation at hand,
21 we would first like to discuss Section 1A of the
22 proposed bill, where we're directed by City Council
23 to send out messages via the federal government's
24 Wireless Emergency Alert system (WEA) in languages
25 other than English. It is important to note that

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2 there are limitations beyond our control that impede
3 our ability to fulfill part of this legislation.

4 First, NYC Emergency Management is not the owner of
5 the Wireless Emergency Alert system; it is a system
6 run by the federal government and users of it are
7 subject to the rules, regulations and technical
8 limitations that exist within the system today.

9 In recognition of these limitations, we
10 have worked tirelessly over the last year to advocate
11 for needed changes to the system and are pleased to
12 report that just last Thursday the FCC adopted rules
13 strengthening the system for the country. The
14 updated rules will increase the maximum length of WEA
15 messages from 90 to 360 characters; require
16 participating wireless providers to support the
17 inclusion of embedded phone numbers and URLs in all
18 WEA alerts, including Amber Alerts, thus enabling the
19 public to click to see a photo or to call
20 authorities; require participating wireless providers
21 to deliver alerts to a more granular geographic area;
22 creating a new class of alerts to convey essential
23 actions to save lives; support transmission of
24 Spanish-language alerts; and make it easier for
25 participants like New York City to test, train

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2 personnel and raise public awareness about the
3 service. Depending on the improvement, wireless
4 carriers have up to 30 months to implement the new
5 rules. These dates, of course, are subject to change
6 based on any appeal to petitions filed by the
7 carriers.

8 We are pleased with the new rules adopted
9 by the FCC but we're not done advocating for even
10 more change. For example, while the system will now
11 allow us to message in Spanish, it is still not
12 designed to support non-English characters, such as
13 Russian, Chinese or Arabic. Also, cell phone users
14 do not have, and cannot choose, a language
15 preference.

16 Operationally, if mandated to provide
17 these alerts in more than one language, this means
18 that recipients of these messages could receive an
19 English message and then several minutes later the
20 same recipients will receive a Spanish message. It's
21 also possible that, depending on an individual's
22 coverage, that they may only receive the English or
23 Spanish version and not both. This concerns us
24 because, with the exception of alerts issued by the
25 President, individuals are permitted to opt out of

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2 WEA messages and if people receive multiple messages
3 in a language that is not their own they may opt out
4 of the system and not receive future messages. Also,
5 we cannot control which message they receive first
6 and if a message is received first in a language
7 other than English there may be either panic or
8 confusion, or people will potentially ignore a
9 lifesaving message.

10 Finally, we will continue to advocate
11 that the opt-out option from user cell phones be
12 removed so that there is no question that those
13 targeted to receive an emergency alert will, in fact,
14 receive it. We would welcome the City Council's
15 support as we continue to advocate at the federal
16 level for meaningful improvements to the Wireless
17 Emergency Alert system.

18 With respect to Section 2A of the
19 proposed bill, which directs us to offer Notify NYC
20 message in seven languages in a disaggregated form
21 via email, telephone, text message and internet-based
22 feed, we, again, support the Council's intent and are
23 confident that we can meet the legislation's
24 obligations provided we are given the necessary
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2 resources to ensure the message are crafted correctly
3 and in a timely fashion.

4 Currently we always have a Public Warning
5 Specialist on duty whose primary mission is to
6 evaluate all of the information coming into Watch
7 Command, our 24/7 operations center, evaluate it
8 against our established action thresholds, craft
9 messages, and send them out to the public. With
10 emergency messaging, time is of the essence, and we
11 currently have an average message issuance time of 7
12 minutes, with 87.5% of our messages being issued in
13 10 minutes or less. In order to ensure that not one,
14 but seven messages to different delivery points are
15 sent out within that timeframe, we may need to have
16 two Public Warning Specialists on duty at all times.
17 Financial resources would be needed to support pre-
18 translation of messages, increased vendor costs for
19 sending out messages in multiple languages, and costs
20 associated with an expanded user base.

21 To be clear, under the paradigm
22 described, we would still be sending out a
23 generalized version of the message. For example, the
24 Spanish version of message about a road closure
25 impacting the FDR Drive would include everything in

1 Spanish except the location of the closure, which
2 would be inserted in English.
3

4 In order to do true, real-time message
5 translation we would need to have personnel on duty
6 24 hours a day, 7 days a week who could speak, read
7 and write each of the seven most commonly spoken
8 languages. We feel strongly that such an effort is
9 cost prohibitive and would require, in addition to
10 more than 40 additional employees, an expansion of
11 our existing operating space. That said; we are
12 committed to attempting to recruit bilingual or
13 multilingual staff for future Public Warning
14 Specialist positions which will allow us, where
15 possible, to offer directly translated messages in
16 some languages.

17 In summary, we support both the intent
18 and content of the legislation that would impact our
19 Notify NYC program and, even without legislation,
20 have already started moving in that direction as both
21 technology and resources permit. Language access to
22 emergency information has been and continues to be of
23 critical importance to the Emergency Management
24 agency. Ready New York -- our flagship emergency
25 preparedness program -- educational material is

1 available in 13 languages and has been since 2009.
2
3 However, we need to be very clear that without
4 additional personnel and financial resources we will
5 be unable to meet the bill's requirements.

6 Before close, I would like to thank the
7 Council for the collaborative way that this
8 legislation was developed. We had several
9 conversations and meetings with Council staff where
10 we expressed our concerns with the early drafts of
11 the legislation and through the cooperative efforts
12 we were able to sit here today and feel that the
13 legislation before you is reasonable and developed in
14 a way that will give us an opportunity to make an
15 already effective program even better.

16 Finally, permit us to note that we are
17 proud to have built a world-class emergency public
18 notification system that keeps New York City informed
19 and we never stop looking for ways to improve.
20 Allowing registrants to select their preferred
21 notification language and receive messages in a
22 language that is most comfortable for them is a
23 natural next step to the program and we are eager to
24 work on implementation.

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2 Thank you for your interest and continued
3 support of the Notify NYC system; we're happy to
4 answer any questions that you have.

5 CHAIRPERSON VACCA: Thank you. We've
6 been joined by Council Member Greenfield.

7 What percentage of Notify NYC
8 notifications are so common that they can be
9 translated in advance?

10 BEN KRAKAUER: So it's not... You know
11 we've looked at the messages that we've issued over
12 time in our system; we are able to categorize them,
13 so right now we're at 86 and very soon we'll have
14 121.

15 CHAIRPERSON VACCA: Eighty-six... well you
16 already have the template?

17 BEN KRAKAUER: Correct.

18 CHAIRPERSON VACCA: So you don't think it
19 would be difficult to do the translations for those
20 86 common messages?

21 BEN KRAKAUER: No.

22 CHAIRPERSON VACCA: No. So where do you
23 really think that we need the extra staff and why is
24 it so difficult to do then if we're already two-

1 thirds or three-fourths there; **[inaudible]**

2 difficult...? [crosstalk]

3
4 BEN KRAKAUER: Well the... the... so the
5 staff is not for the translation; we're going to use
6 professional contract translation services to develop
7 those messages, but the staff is needed to actually
8 send those messages out, so we wanna make sure that
9 when we're hitting send, you know right now we get
10 messages out in 7 minutes; we need to be able to
11 maintain that.

12 CHAIRPERSON VACCA: So adding this
13 requirement as per the legislation would hamper your
14 efforts?

15 BEN KRAKAUER: Without additional
16 resources it would.

17 CHAIRPERSON VACCA: How much additional
18 resource do you need?

19 BEN KRAKAUER: We're still working
20 through the numbers, but we'll need to have two
21 Public Warning Specialists on duty at all times;
22 right now we have one.

23 CHAIRPERSON VACCA: You have a Notify NYC
24 staff on duty 24/7, don't you?

1 BEN KRAKAUER: We do; there's always one...

2 [crosstalk]

3 CHAIRPERSON VACCA: One person?

4 BEN KRAKAUER: There's always one person
5 on duty, at a minimum.

6 CHAIRPERSON VACCA: Okay. [background
7 comments] How do you send it out; how does the
8 technology work to send out a Notify NYC message?

9 BEN KRAKAUER: We go into our vendor; our
10 current vendor is a company called Send Word Now;
11 we've had a contract with them for a long time; they
12 enter the message -- you know they enter separate
13 messages, because every delivery point has different
14 character limits, so the email is different than the
15 text message, which is different than the tweet,
16 which is different than the voice call. So we would
17 need to repeat that process for English and then for
18 the other seven languages.

19 CHAIRPERSON VACCA: Do you think it makes
20 sense, as a policy matter, to have these messages
21 issued in different languages?

22 BEN KRAKAUER: One hundred percent.

23 CHAIRPERSON VACCA: Alright, so if we
24 think that this makes sense, if we think that it
25

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2 would benefit people, if we think it's going to save
3 one life at a certain point in time; then I would
4 think that we have to find a way to do this.

5 BEN KRAKAUER: We agree.

6 CHAIRPERSON VACCA: Alright. Well how
7 big is your agency; how many people are in your
8 agency?

9 BEN KRAKAUER: Approximately 180.

10 CHAIRPERSON VACCA: We can't find one or
11 two more people to do something like this? This is
12 what this legislation may call for, but I see this as
13 a possible lifesaver, and I just wanna know why we
14 think there are so many obstacles to it.

15 BEN KRAKAUER: Well I think that we've
16 made significant progress in sending out messages
17 that are translated already, Mr. Chairman, but we
18 wanna make sure that if we send it out in this
19 disaggregated form -- right now we do it by clicking
20 a link, so a subscriber gets the message, it has the
21 English on top and then if you wanna see that same
22 message in a generalized form in the other languages,
23 you click on a link and you're brought to a website
24 where a generalized form of that message appears.
25 The bill calls for receiving it in disaggregated

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2 form, which we fully support, we think it's 100% the
3 direction to go, but we wanna make sure that we're
4 maintaining the speed at which these messages are
5 going out, which is why we're asking for additional
6 personnel.

7 CHAIRPERSON VACCA: Okay. Now Notify NYC
8 occasionally issues general messages with an option
9 to click a hyperlink to see other versions, you
10 mentioned; however, the general message is written
11 entirely in English, so some users may not know that
12 there is an option to use translations.

13 BEN KRAKAUER: Correct. So we recognize
14 that as a gap; we've been working with our vendor; we
15 expect late this year or early 2017, calendar year
16 2017, that tagline at the bottom of the messages
17 where it says, to view this message in American Sign
18 Language, Arabic, Bengali, Russian, etc., right now
19 that appears in English; by late this year or early
20 next year that will actually appear in those
21 languages for that tagline.

22 CHAIRPERSON VACCA: And how often are the
23 links clicked? Do you have a percentage? What
24 percentage of times are those links for other
25 languages clicked?

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2 BEN KRAKAUER: It's been some time since
3 we've looked at the click-through rate, but we can
4 look at that and get back to your office.

5 CHAIRPERSON VACCA: I think it would be
6 interesting to know. Under the current system, is
7 there a way to offer at least some of these general
8 messages in other languages? And if so, how could
9 that feature be implemented?

10 BEN KRAKAUER: So under the current
11 system we are doing what we can do, which is to send
12 out the English message and then link to a webpage
13 that has the American Sign Language and then all the
14 other messages. There is not, at this point, the
15 ability to send it out in any disaggregated form. So
16 the way that we would implement the bill, when it
17 passes, and assuming it gets signed into law, is we
18 would work with DoITT to capture at the point of
19 registration the person's language preference, the
20 registrant's language preference; that would be sent
21 to the same synchronization process we use now with
22 our vendor so that when we hit send, people who want
23 the message in English will get the message in
24 English; people who want the message in Spanish will
25 get the message in Spanish, so on and so forth.

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2 CHAIRPERSON VACCA: So how long would
3 that take to implement the software change?

4 BEN KRAKAUER: So the vendor's working on
5 it now -- not for us; not for this legislation, but
6 for their other customers -- they anticipate having
7 it done within the year that the Council is requiring
8 the bill be implemented.

9 CHAIRPERSON VACCA: So if you're telling
10 me that the only concern we have with this
11 legislation is personnel, then I have to tell you
12 that your agency should be resolving that, 'cause
13 what you're telling me is that your agency and the
14 Administration support the bill, but there are
15 administrative issues that have to be addressed. So
16 I'd like your agency to get back to the Council
17 staff; if you consider this something that's worthy
18 and good; you're not asking us to tweak the
19 legislation, you're asking for more people to do what
20 you have to do and that becomes an administrative
21 matter that your agency and the Administration have
22 to address, because you've already told us that you
23 think this is a good idea.

24 BEN KRAKAUER: Yes. So we are having
25 those discussions with OMB and City Hall; we'll

1
2 continue to have those discussions, but in the
3 interest of transparency, we wanted to let you know
4 what the one obstacle was to successfully
5 implementing the legislation before you.

6 CHAIRPERSON VACCA: Well I just wanna
7 look up the legislation; there is a time period
8 whenever we do legislation as to the effective date,
9 [background comment] and it would be one year from
10 the date the Mayor signs it... [interpose]

11 BEN KRAKAUER: Correct.

12 CHAIRPERSON VACCA: hopefully. So in
13 January, the Mayor will be releasing his Preliminary
14 Budget; I'd like to know if this is something your
15 agency is requesting from the Mayor; has your agency
16 requested more personnel in the budget coming up?

17 BEN KRAKAUER: We have not assembled our
18 January budget ask yet, but our budget office is in
19 communication with OMB about a number of things,
20 including the personnel requirements required under
21 this bill.

22 CHAIRPERSON VACCA: Yeah, I would hope
23 that your agency takes an opportunity to request that
24 from the Mayor. Councilman Dromm, I'm sure, and
25 others, including myself, will be trying to be of

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2 assistance, if that's the case, if you see that this
3 not funded in the City budget; we certainly want to
4 assist you through the Council. But I think this is
5 an objective of the City to increase participation
6 and outreach and therefore, I do think it's something
7 that the Administration should fund. The law that we
8 have before us seems to be a law that the Council
9 would pass and the Mayor would sign; I just think we
10 have some administrative issues to work out. So I'd
11 like you to take that back...

12 BEN KRAKAUER: I certainly will.

13 CHAIRPERSON VACCA: and let them know
14 that it's a priority. Do people ever reach out to
15 Notify NYC in languages other than English through
16 social media? And if so, how does OEM respond?

17 BEN KRAKAUER: I can't think of a case
18 where we have received a tweet or even email in a
19 language other than English.

20 CHAIRPERSON VACCA: You can't think of a
21 case where you have ever received an email or a tweet
22 in another language?

23 BEN KRAKAUER: Directly to Notify NYC?

24 No... [crosstalk]

25

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2 CHAIRPERSON VACCA: Right. No. Okay.

3 That could be good and bad.

4 BEN KRAKAUER: Yes, I agree with you.

5 CHAIRPERSON VACCA: Okay, you understand?

6 BEN KRAKAUER: Yes.

7 CHAIRPERSON VACCA: Okay. Any questions
8 from my members of the Committee? No? [background
9 comments] Oh okay; I'll quote you. [laughter,
10 background comments] Alright, you'll sign the
11 document. Okay, we wanna... Do you have anything to
12 add?

13 DON SUNDERLAND: No... [crosstalk]

14 BEN KRAKAUER: No, sir.

15 CHAIRPERSON VACCA: No. Okay. There
16 being no questions and there being no witnesses --
17 this is a record even for the counsel. [laughter,
18 background comments] Maybe I could say something
19 controversial that'll get me in the papers tomorrow
20 or something, or maybe I should do something
21 outrageous; I don't know, but I think I've done
22 enough outrageous things in my life. Okay, now that
23 I can't think of anything outrageous to say, or do, I
24 am going to adjourn this meeting. [gavel] It is
25 1:30 and I thank you so much for your testimony.

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COMMITTEE ON TECHNOLOGY

[background comments]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date October 20, 2016